



CRL OP(MD). No.14100 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14100 of 2023

Periya Karuppan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Aviyur Police Station,
Kariyapatti Taluk,
Virudhunagar District.
Crime No.86 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Asaithambi A.C., Advocate.
For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.86 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) and Section 4 of the



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Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.86 of 2023,
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on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 21.07.2023 at about 7.30 a.m, the petitioner along with the other accused abused the defacto complainant in filthy language and also attacked her with woodenlog and caused injuries to her. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity, the present complaint has been given by the defacto complainant. He further submitted that for the very same occurrence, FIR in Crime No.85 of 2023 was registered against the defacto complainant and others.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that no previous case is pending against the petitioner and also submitted that the injured has been discharged from the hospital.

5.Considering the facts and the circumstances of this case and also of the fact that it is a case in counter and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner, however, with stringent conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, before the learned Judicial Magistrate No.2, Virudhunagar, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
02/08/2023

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/08/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE JUDICIAL MAGISTRATE NO.2, VIRUDHUNAGAR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.



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3 THE INSPECTOR OF POLICE, AVIYUR POLICE STATION,
KARIYAPATTI TALUK, VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.C.ASAITHAMBI, Advocate (SR-11737[I] dated 03/08/2023)

ORDER
IN
CRL OP(MD) No.14100 of 2023
Date :02/08/2023

RS/BUC/SAR-(23.08.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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